

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA                          )  
    )  
v.    )        No. 2:10-CR-64  
    )  
JOSHUA EVANS                                      )

**MEMORANDUM AND ORDER**

This criminal case is before the court on the defendant's motion for a continuance of the trial [doc. 34]. Defendant needs more time to consider his options for resolution of this case. Defense counsel and defendant have been working diligently toward a resolution and to prepare for trial but need additional time. The government has no objection to the continuance.

The court finds the defendant's motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The court finds that the failure to grant the motion would deny counsel for the defendant the reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The defendant's motion requires a delay in the proceedings, therefore, all the time from the filing of the defendant's

motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

Therefore, it is hereby **ORDERED** that the defendant's motion is **GRANTED**, and this criminal case is **CONTINUED** to Thursday, **November 4, 2010, at 9:00 a.m.** The new plea cutoff date is October 25, 2010.

ENTER:

s/ Leon Jordan  
United States District Judge